

**CITY OF TAYLORSVILLE
CITY COMMISSION
REGULAR MEETING**

March 6, 2012

The City of Taylorsville City Commission held a Regular meeting on Tuesday, March 6, 2012 at 5:00 p.m., at the City Hall Annex.

Present were:

Don Pay, Mayor
Beverly Ingram, Commissioner
Nathan Nation, Commissioner
Kathy Spears, Commissioner
Larry Waldrige, Commissioner

Staff present:

John Dale, Jr. City Attorney
Steve Biven, City Clerk
Harold Compton, Public Works Director

Randy McConnell, Comptroller
Toby Lewis, Police Chief
Lisa Ware, Co-Treasurer

Item #1

Mayor Pay called the meeting to order at 5 p.m. and asked the group to join him in a brief moment of meditation followed by a recital of the Pledge of Allegiance.

Item #2 – *Consent Calendar*

Motion made by Commissioner Nation and seconded by Commissioner Waldrige to approve the Consent Calendar for February, 2012 with the correction in the February 7th minutes whereby Phyllis Williams stated that she wanted to withdraw her request to advertise the Main Street Manager position at 20 hours a week with a salary of \$10,000 .
Motion carried 5-0.

Item #3 – *Committee Reports*

a) Engineering Projects (Sisler – Maggard Engineering PLLC)

Kevin Sisler reported that one of the samplers is on line, with the second hopefully to be on line in the next couple of weeks. A punch list has been given to the contractor which consists mainly of dress up work and grading. It has been too wet to work on at this time.

Mr. Sisler stated that after the open meeting that was held for the Highway 44 Sewer Line Extension Project, he went and shot some elevations with a level rod. His survey crew was there today and he will know more tomorrow about what they found. It appears they may be able to move that bore about 60 feet to the east which will keep them off of Steve Goodlett's property, which will then not require a permanent easement. Mr. Sisler met with Mr. Goodlett and he does not have any questions about it. The City will still need a temporary construction easement for work being performed behind the guardrail. Mr. Sisler has spoken to Mr. Dale about that. The

bore contractor is hoping to start next Monday, March 12, 2012 with the bore at Settler's Trace store. Commissioner Nation asks Mr. Sisler where they thought they could go without being on Mr. Goodlett's property. There are some questions concerning the property lines per the plat presented by Commissioner Nation. Mr. Sisler is going to meet with Curtis Ochs regarding this issue.

The change-over for the electrical work on Main Street has been completed. Mr. Compton is working on getting the meters and water lines relocated. The phone work is to be completed the week of March 19th. There will be a public meeting with all the property owners on Main Street, Phase 2, March 19th & 20th at 6:00 at the City Hall Annex, for the property owners to look at the drawings, discuss the project and explain what work will be performed. After that meeting, the bids will be put out. Commissioner Ingram asks Mr. Sisler if he had been in contact with Curtis Shoemaker about the well heads in the public square. He stated he has left many, many messages for him.

b) Main Street (Phyllis Williams)

Mrs. Williams stated that she and Gordon Deapen had attended a seminar on Social Media, which comes under the economic restructuring branch of the Kentucky Main Street Program, February 15, 2012. Main Street has established a Facebook page. Mr. Deapen and Mrs. Williams received a .25 training credit. They now have 2.25 of the 3 that they are required to have. There was discussion about the certification and the things they need to do for certification.

She also stated that she and Mr. Deapen have moved the Main Street files to the Main Street office. They received a new filing cabinet and bookcase from the county at no cost to Main Street.

Mrs. Williams, Mr. Deapen and Mayor Pay have also signed and submitted to Frankfort, the annual letter of commitment to the Main Street Program.

Mrs. Williams also discussed the Main Street public meeting on March 19th and 20th.

She explained that there was no treasurer's report this month. Main Street had no activity for the month of January.

Commissioner Nation asked if the commission approved the annual letter of commitment at the last meeting and what the commission committed to. Mrs. Williams stated they did not have the letter at the last meeting, so it was not approved by the commission. Commissioner Nation stated that the letter needed to be ratified and approved. The letter details the state guidelines for the Main Street state program. **Motion was made by Commissioner Nation and seconded by Mayor Pay to ratify the Mayor's signature on the letter of commitment. Motion carried 5-0.**

Mr. Deapen explained that this is an annual thing that has to be completed and Mayor Pay asks why the commission has never been aware of it in prior years. Commissioner Ingram asks when the City will know if they are certified/recertified. Mrs. Williams stated that it may be the end of the year before they know. Commissioner Spears stated that she had no problem with the letter but she did not think the Mayor should have signed the letter without prior approval of the commission. Mr. Deapen and Mrs. Williams apologized for that, they were trying to respond under the time constraints.

Item #4 – **Old Business**

a) Early Wyne, Letter of Credit, Mark Clinton

Mr. Clinton was present to state that they had met with the bank about their Letter of Credit on Monday, February 27th. The bank has told them that they would have their letter by Thursday, March 1st, but they have not received any paperwork yet. He also stated that they are moving forward to getting the funding to get the roads completed. He said he thought they would have the letter by the end of the week. Mayor Pay asks Mr. Clinton what assurance the commission has that this project is going to be completed. Mr. Clinton said all they could do is get a contract signed and start work in the next 4 to 6 weeks. Mayor Pay asks Mr. Dale what options the city had at this time. Mr. Dale stated that the work needed to be done or the City could have Planning and Zoning withhold building permits until this issue is resolved. **Motion was made by Commissioner Nation and seconded by Commissioner Ingram to have a Letter of Credit from Early Wyne within 20 days or the City would instruct Planning and Zoning not to issue any building permits until this issue is resolved.** Motion carried 5-0.

Mr. Clinton also wanted to address the 100,000 per mile. He feels like Early Wyne was getting singled out by the City to pay more than other subdivisions have. The county set this standard. Commissioner Nation stated he thought that the rate is based on a recorded plat. Mr., Clinton said that they do not have as much mileage as previously recorded on the plat. Commissioner Nation asked if the commission could get verification from Julie Sweazy at P&Z for the rate per mile.

b) Cemetery Update

Harold Compton, Public Works Director asks that this be addressed later in the meeting.

c) Ethics Board Member

Mayor Pay asks if the commission had any recommendations for the Ethics Board. Commissioner Ingram stated the commission at one time had discussed David Young or Susan Arnold because they had businesses downtown. **Motion was made by Commissioner Ingram and seconded by Commissioner Spears to recommend David Young to the Ethics Board.** Motion carried 5-0.

d) Rumpke Collection Audit

Clerk Biven stated that there was a letter in the commissioner's packets that Rumpke sent to Spencer County Residents. The City bills 36 houses outside of the City limits because they were on the old water system. Rumpke has no problem leaving those 36 homes on the City rates.

e) Other Business

Clerk Biven stated that there would be a meeting with Paul Combs on Tuesday, March 13, 2012 at 9:00 to discuss the rest of the personnel policy.

Item #5 **Public Comment**

There was no public comment.

Item #6 – *New Business*

a) **Department Reports**

Financial Report

Mr. McConnell provided the commission with cash analysis report, the deposit collateral report and the overtime report. He also stated that the city is fully collateralized at all three banks. Mr. McConnell informed the commission that in reviewing revenue in the General Fund account, Property Taxes year to date are \$132,000, Insurance Premiums \$134,000 and Occupational License Tax \$190,000.

Water Revenue is \$73,000 under budget, Sewer Revenue is \$11,000 under budget, Meter Sets is \$53,000 under budget and Sewer Taps are \$34,000 under budget year to date. Year to date maintenance and repairs are \$29,604, with \$7,681 left to spend. Capital Outlay includes the purchase of a Salt building at \$8,671.

The Main Street Committee is going to approve the bills from Power-Tel, Sisler-Maggard Engineering, as well as some in-kind from Sisler-Maggard, and then the City will submit them for reimbursement.

Mr. McConnell stated that Mr. Ryan had submitted an audit proposal of \$7,600 for one year. The cost to comply with the single audit act is \$1,500 due to CDBG funds used for the Wastewater Treatment Plant. That price is reduced due to it being a continuation from last year.

Mr. McConnell asks the commission when they would like to set a date for a budget workshop. He would like to do that sometime in March, and then in late April have a complete budget. Mr. Biven presented a tentative budget schedule stating that the budget should be completed around the 18th of May in order to meet publication and public meeting requirements.

Clerk Biven and Mr. McConnell commended Sheila Hardin for her work on balancing of the Escrow Account.

Utility

a) **Cemetery Update**

Mr. Compton stated that work has started on the cemetery. They have started digging down to where the wall was going to be, but it is unsafe for the backhoe. The cost to rent a trackhoe would be \$450 for freight charge and \$600 a day, or rent it for a week at the cost of \$1800, plus the \$450 freight. If we do that, we could take the rock out from behind both the house and the trailer. The other option is to have Roc-Key do the job for \$600 and no freight charge, but that is only to remove the rocks behind the house and we would be limited in time. Roc-Key would also do all of it for \$1,800.00 and no freight charge, but again we would be limited to the time he is originally on site. **Motion was made by Commissioner Waldrige seconded by Commissioner Nation to rent a trackhoe to do all the work needed at the Cemetery. Motion carried 5-0.**

b) **Water**

1. D.O.W. Inspection Report Update

Mr. Compton informed the commission that he received was told by the Division of Water that the inspection went well. Clerk Biven commended Mr. Compton for his work on getting

everything together for the inspection. Mr. Compton thanked Mr. McConnell for his help on the financials.

2. Main Street Extensions

Mr. Compton informed the commission that to move the meters on Main Street would be costly. They have moved two meters to the back of properties. The plumber is going to charge \$2,700.00 to reconnect the Tea Cup from the meter in the back to the building and it would cost \$1,800.00 to reconnect Bennett's Hardware Store.

c) Sewer

Mr. Compton stated he had spoken with Mark Clinton of Early Wyne about the Sewer Pump Station at Early Wyne. He told Mr. Clinton that the pump would need to be upgraded at some point.

Commissioner Ingram asks about the pump at Highview. Mr. Dale stated that the deed is ready for James Allen Tipton to sign. Mr. Compton said he and Clerk Biven needed to sit down with Mr. Tipton and discuss the issue. Mr. Dale is to get the deed for the pump station to Mr. Compton.

Clerk Biven stated that Marlene Cranmer is moving and she would like for the City to pay to have the telephone answering service transferred to her new address. After Clerk Biven passed out her call sheets, there was discussion stating that the City paid this same cost the last time she moved. Mayor Pay stated that the commission could look at the issue when her contract comes up in July. **Motion was made by Commissioner Nation and seconded by Commissioner Spears to pay to have the phone transferred for Mrs. Cranmer to her new home based on the fact that it was the practice before. Commissioner Spears, Commissioner Ingram, Commissioner Waldrige and Commissioner Nation voted in favor. Mayor Pay opposed. Motion carried 4-1.**

Public Safety

Police - A monthly schedule was not in the packets due to their server being down, but he did place a copy in the commissioner's mailboxes.

Chief Lewis stated that the surplus vehicles are ready to be sold. All of the equipment has been removed. The 1999 and the 2003 Crown Vic's and the 1998 TransAm will be on the front lot for sale tomorrow. Mayor Pay asks if there had been a minimum bid on any vehicles that had been sold before. Chief Lewis stated he did not believe there had been any reserve before. **Motion was made by Mayor Pay and seconded by Commissioner Nation to set the Crown Vic's out front for sale, with no reserve and to take bids until March 28th. Motion passed 5-0.**

Chief Lewis suggested that a minimum bid of \$4,500.00 be taken on the 1998 TransAm. **Motion was made by Commissioner Waldrige and seconded by Commissioner Nation to place a minimum bid of \$5,000.00 on the TransAm. Motion passed 5-0.**

Chief Lewis stated that the radios are working and that all the generators have been checked and everything is working appropriately. He also stated the department will be receiving two more MBTs for the Expeditions that they received from a grant that Commissioner Nation helped write for the county. The rest of the equipment should be in soon also.

Commissioner Spears asks Chief Lewis about storm damaged to the police vehicles. Chief Lewis stated that there was some hail damage to the two Expeditions, the Charger, and the Explorer and there was a windshield busted in another one. Officer Schultz's car had about \$2,300 worth of damage to it; according to Daugherty's Body Shop. Clerk Biven stated we usually get two estimates. Commissioner Nation suggested just taking them all to Daugherty's Body Shop for the repairs.

Clerk Biven brought up that the fact that the City needs to be cleaned up. He had Chief Lewis look into using Class D felons for that task. He stated that Shelby County uses them also. The City would have to provide transportation for them and the police officers looking after them would be required to complete 8 hours of training. Mayor Pay stated that he would like to look into maybe doing this. Chief Lewis is to look and see if there is a contract that the City would have to sign with the prison.

Fire – Chief Nation stated that on page 16 of the commissioner's packets was a list of the homes that the City has taken action against according to Ordinance #86. He stated the time on the water plant at Garrard Street had elapsed as well as the time on the property at 107 Reesor Street. Chief Lewis stated that he had spoken with Mr. Owens about the old water plant. Mr. Owen said that he was going to reattach the tin on the building. Mayor Pay suggested that the commission speak with Mr. Owen and Ms. Lawrence. There was a lot of discussion about this issue. Mr. Dale suggested that a letter be sent to Ms. Lawrence stating this issue has not been addressed. **Motion was made by Commissioner Waldrige and seconded by Mayor Pay to inform Ms. Lawrence of any deficiencies in her structure at 107 Reesor based on an inspection from the fire chief. Mayor Pay, Commissioner Spears and Commissioner Waldrige voted in favor. Commissioner Ingram opposed. Motion carried 3-1. Commissioner Nation abstained.**

Commissioner Nation stated that he would pass on having a discussion of the fireworks ordinance.

General Government

Streets – There was no business at this time.

b) Other New Business

There was no other new business at this time.

Item #7 – Legal

Attorney Dale reminded the commission that the compensation for the next commission must be decided by May 1st.

He stated that Joe Sisler is still working on the annexation ordinance. They will both attend a seminar Friday in which the Secretary of State will discuss this process. Clerk Biven showed a map of the City boundaries. He is trying to finalize this issue before the May primary.

Commissioner Spears stated that Rob Hance has not been allowed to vote but he lives in the City and pays City taxes. The county will not allow him to vote in the City. Mr. Hance lives at 6 Mill Hill. The County Clerk has received a list from the City of who lives within the City limit.

Item #8 - *Elected Officials' Comments (Mayor & City Commissioners)*

Commissioner Spears stated that cities and individuals that have contracts with Insight Communications need to write letters to Insight to allow the broadcasting channels to cut in on their programming with up to date weather conditions. **Motion was made by Commissioner Nation and seconded by Commissioner Waldrige to send a letter to the appropriate parties pertaining to this issue. Motion carried 5-0.**

Mayor Pay stated that Commissioner Ingram has been sitting in on Planning & Zoning interviews to rework Planning & Zoning regulations and they have narrowed it down to two consulting firms. Commissioner Ingram stated that this would be a good time for the City to put in what they would like to see for Planning & Zoning regulations.

Commissioner Nation stated that he had not had a chance to get with the state pertaining to getting the streets cleaned. He asked that if it was ok with the commission, he would have the state come in and clean up the streets sometime in March at no cost.

ADJOURN TO EXECUTIVE SESSION

Item #9

Motion was made by Mayor Pay and seconded by Commissioner Spears to Adjourn to Executive Session under provisions of KRS 61.810 (1) (b) Deliberations on the future acquisition or sale of real property by a public agency (c) Discussions of proposed or pending litigation against or on behalf of the public agency (f) Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee. Motion carried 5-0.

RETURN TO OPEN SESSION

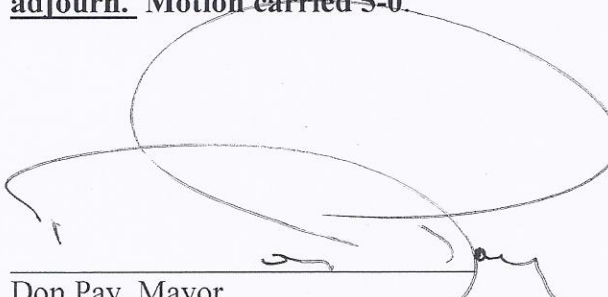
Item #10

Motion was made by Mayor Pay and seconded by Commissioner Spears to return to open session. Motion carried 5-0.

ADJOURN MEETING

Item # 11

Motion was made by Commissioner Spears and seconded by Commissioner Ingram to adjourn. Motion carried 5-0.



Don Pay, Mayor



Stephen A. Biven, City Clerk